

## Clarifications to UAO Provisions

c. Stormwater Controls: ~~Beginning up the Effective Date of this Order, Respondent shall ensure implementation of applicable~~ City regulations for sewer connections (Chapter 31 of Title 15 of the Rules of the City of New York) and stormwater control regulations and standards, ~~as set forth in the ROD, at minimum, and as may be updated in City regulations and guidelines, for applicable to project plan approvals within the Gowanus Canal sewershed, include measures for minimizing to ensure that~~ hazardous substances and solids from additional stormwater and sewage loads ~~to avoid do not compromising~~ the effectiveness of the permanent CSO control measures by exceeding their design capacity. See ROD at page 85. When implementing or approving municipal sewer infrastructure upgrades and/or private stormwater controls within the Gowanus Canal sewershed, stormwater shall be separated for discharge to the Gowanus Canal to the maximum extent practicable. Commencing on January 31, 2022, Respondent shall submit to EPA an annual report summarizing ~~the net changes in sanitary and stormwater loadings within the Gowanus Canal sewershed, which shall include but not be limited to,~~ the major project plan approvals and completions for the preceding calendar year. Respondent shall submit the proposed form and contents of the report for EPA approval.

d. Separated Outfall Treatment Units: Beginning upon the Effective Date of this Order, Respondent shall install, operate and maintain EPA-approved treatment units at all separated stormwater outfalls, including street end discharges, at the Site that are ~~owned by or~~ approved by Respondent after the Effective Date and are not otherwise covered by NYSDEC discharge permit with discharge limits and treatment. These treatment units should have the capacity to effectively separate oil contamination and capture solids from stormwater runoff, prior to discharging to the Canal. The responsibility to install, operate and maintain EPA-approved treatment units at all separated stormwater outfalls may be delegated to the property owners as part of redevelopment plan approvals, but Respondent shall track, oversee and remain separately responsible for such Work. Commencing on January 31, 2022, respondent shall submit to EPA an annual report summarizing the location of such treatment units and their maintenance status, including the amounts of oil and solids removed from each unit, and the results of semi-annual testing of the water at the exist point of the treatment units to ensure the functionality of the units. The treatment unit testing shall include solids content, VOCs, SVOCs and heavy metals.

e. CSO Solids Monitoring: Respondent shall monitor post-dredging CSO solids contaminant levels pursuant to an EPA-approved Monitoring Plan ("Plan"). The Plan shall include periodic in-Canal monitoring of CSO solids recontamination levels and annual tracking of CSO solids loading from each CSO outfall, including a detailed description for how the CSO outfall solids loading is calculated, for the purpose of determining whether dredging is required pursuant to paragraph 73.f. The Plan shall be submitted for EPA approval by October 31, 2021. In-Canal monitoring consistent with the Plan shall begin one year after EPA notifies Respondent that capping is completed in RTA-1. The CSO solids outfall loading monitoring shall begin on June 1, 2022 to establish a baseline for CSO solids loading prior to the buildout of rezoning within the Gowanus Canal sewershed.